

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PERRY ASHELMAN,
Petitioner,

v.

PAT GLEBE,
Respondent.

CASE NO. C10-5047BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 6). The Court having considered the Report and Recommendation and the remaining record, and no objections by Plaintiff having been filed, does hereby find and order:

- (1) The Court adopts the Report and Recommendation;
- (2) The petition is **DENIED** because it is without merit and frivolous; and
- (3) The Court **DENIES** a Certificate of Appealability.

DATED this 31st day of March, 2010.



BENJAMIN H. SETTLE
United States District Judge

ORDER